

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JENNIFER STRAME
929 Whiticar Lane
West Chester, PA 19380,

Plaintiff,

vs.

FIRSTSOURCE ADVANTAGE, LLC
205 Bryant Woods South
Amherst, NY 14228,

Defendant.

CIVIL ACTION NO.

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 (“FDCPA”).

2. The FDCPA prohibits collectors from engaging in deceptive and unfair practices in the collection of a consumer debt.

3. Defendant is subject to strict liability for sending a collection letter which violates the provisions of the FDCPA.

II. JURISDICTION

4. Jurisdiction arises under 15 U.S.C. § 1692k and 28 U.S.C. § 1337.

III. PARTIES

5. Plaintiff Jennifer Strame ("Plaintiff") is a consumer who resides in West Chester, Pennsylvania at the address captioned.

6. Defendant Firstsource Advantage, LLC ("Firstsource") is upon information and belief a New York limited liability company with a principal place of business in Amherst, New York and a mailing address as captioned.

7. Defendant Firstsource regularly engages in the collection of consumer debts in the Eastern District of Pennsylvania using the mails and telephone.

8. Firstsource regularly attempts to collect consumer debts alleged to be due another.

9. Firstsource is a "debt collector" as that term is contemplated in the FDCPA, 15 U.S.C. § 1692a(6).

IV. STATEMENT OF CLAIM

10. On May 11, 2011, Defendant Firstsource sent Plaintiff a collection notice seeking to collect a consumer debt alleged due HSBC Bank Nevada, N.A. in the amount of \$3,672.35. A copy of the May 11, 2011 letter is attached hereto as Exhibit A (redacted in part per Fed. R. Civ. Pro. 5.2).

11. About three months earlier, Firstsource had sent Plaintiff a collection notice seeking to collect the same consumer debt alleged due by Firstsource, but with a claimed balance of \$3,156.78. A copy of this letter, dated February 3, 2011, is attached hereto as Exhibit B (redacted).

12. The balance alleged due by Firstsource represents an unexplained increase of over 15% of the balance claimed due just about three months earlier.

13. The FDCPA prohibits debt collectors from using false, deceptive or misleading means in an attempt to collect a debt alleged due, including misrepresenting the character, status or amount of the alleged debt. 15 U.S.C. § 1692e and § 1692e(2).

14. Here, Firstsource violated the FDCPA by falsely, deceptively and misleadingly inflating the balance claimed due from Plaintiff by adding over 15% in unexplained charges and/or fees.

COUNT I - FAIR DEBT COLLECTION PRACTICES ACT

15. Plaintiff repeats the allegations contained above as if the same were herein set forth at length.

16. The acts by Defendant described above violated the Fair Debt Collection Practices Act in the following ways:

(a) By engaging in false, deceptive or misleading means in connection with the collection of a consumer debt alleged due by Plaintiff, in violation of 15 U.S.C. § 1692e; and

(b) By falsely representing the amount of the debt alleged due from Plaintiff, in violation of 15 U.S.C. § 1692e(2).

WHEREFORE Plaintiff Jennifer Strame demands judgment against Defendant Firstsource Advantage, LLC for:

- (a) Damages;
- (b) Attorney's fees and costs; and
- (c) Such other and further relief as the Court shall deem just and proper.

V. **DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury as to all issues so triable.

Date:

9/12/11

Respectfully submitted:



CARY L. FLITTER
THEODORE E. LORENZ
ANDREW M. MILZ
Attorneys for Plaintiff

LUNDY, FLITTER, BELDECOS &
BERGER, P.C.
450 N. Narberth Avenue
Narberth, PA 19072
(610) 822-0781